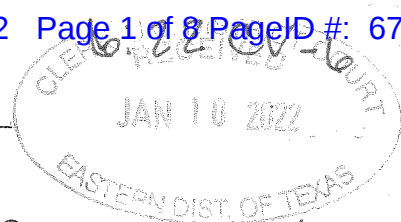


Sworn Affidavit



Ever since February 13th, 2018; CO-Barbra C. Neal has been the Property Officer on Michael Unit 12 Building so that any time I'm supposed to go on Medical Chain/Transport or to Court, etc.; I'm forced to leave my property with this individual who personally violated my rights as I related in Section 110/114 of the Complaint I sent "on time" on January 3rd, 2022 to the United States District Court - Eastern District of Texas according to Rule 4(c) of the Federal Rules of Appellate Procedure appropriately... Being forced to leave my property with CO-Barbra C. Neal or any of her co-workers is a major violation of my Due Process Rights while also being cruel & unusual punishment!

I should not even be on Michael Unit at all after what I have related in the FACTS of my Complaint but I have been subjected to a massive Campaign of Retaliation & Harassment from Executive Director Bryan Collier, all the way down to the multitude of Prison Officials & Staff of which many are listed as Defendants in my Complaint including the Office of the Inspector General/Unknown OIG Officers/OIG Officer Curtis D. Bitz...

* LVN-Lori Fartner denied me my vaccine shot around May 26th, 2021 without my permission on purpose... Any medical chains I skipped before or after that was because I did not want to get sick again with COVID-19 and also because of the Property Officer Barbra C. Neal and because I should have been transferred permanently away from Michael Unit the entire time and sent to or close to Hospital Galveston so I do not have to suffer long distance travel that aggravates my injuries which is exactly what it does especially when the Medical Department has deliberately blocked me from getting proper medical examinations & treatment this entire time from February 13th, 2018 up til now & ongoing! And even after arguing my way into getting my Vaccine shots on 8-9-2021/4-15-2021/11-1-2021; I'm still stuck with all the other problems that are all in the FACTS of my Complaint! Why am I still on Michael Unit when these Defendants from the Top down know about the Crimes committed against me here and/or actually participated in the violence they did to me so many times!

The same day I sent the Complaint on January 3rd, 2022 at about 8pm; I was threatened and antagonized by none other than CO-Obadina S. Omooka and he did again at 2am of January 4th, 2022 and again at 8:47pm later that day and again at a little past or around 8pm of January 5th, 2022 with threats ~→

of violence & death against me all in front of my cell door at 12 Building D-Pod 75 cell on Security video cameras which he's done many times before but if I write a Grievance about it, the Grievance Investigators (including Wardens) will do whatever they can to obstruct Justice and so will OIG. The Grievance System has long ago reached the point where it's unavailable to me completely within the TDCJ-CID - they violate my Grievances no matter where I am. CO-Obadina S. Omooka is one of the Defendants I referred to in "Section 136" of my Complaint under the FACTS.

The Psyche Staff under Dr. David Stebbins, are doing nothing in this Mental Health Therapeutic Diversion Program/Chronically Mentally Ill-Sheltered Housing but falsifying medical records on a regular basis like as if they are doing their jobs in these bogus programs, when in fact they are not even operating these programs at all like they are supposed to be doing. So they are just subjecting us to non-stop torture while knowing that we Incarcerated persons on Michael Unit 12 Building are Chronically & Severely mentally ill and the whole time the Government is funding these programs non-stop when nothing is being done at all. These programs are a scam being perpetrated by Dr. David Stebbins/CID Director Bobby Lumpkin/Executive Director Bryan Collier/Farmer CID Director Lorie Davis/Farmer TBCJ Chairman Dale Wainwright/TBCJ Chairman Patrick O'Daniel/and every Warden & Staff member connected to these programs. --*Where is the money going? Because it's not being used for these programs at all.

The situation here on Michael Unit/Michael Unit 12 Building/and throughout the TDCJ-CID is dire and getting worse with TDCJ-CID/CID Director Bobby Lumpkin/Executive Director Bryan Collier/TBCJ Chairman Patrick O'Daniel/Warden Michael Collum/Warden Lamonis Marshall/Warden Lonnie E. Townsend IV/et.al.; knowingly & deliberately operating units or keeping units/facilities open with massive staff shortages that are so bad that Incarcerated persons are unable to get the basic necessities of life on a regular basis which has gone on for years but in the last several months it has reached the state of emergency and it is even worse for Incarcerated persons with serious disabilities and it is in fact, torture to the farthest degree of madness. Please help me & us and please attach this Affidavit with Mr. Tyrone D. Waddell's Affidavit and attach them both to my Complaint as evidence.

"I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed On: January 6th, 2022

TDCJ-CID #1343536

Jamon Nathaniel Hestand
Jamon Nathaniel Hestand

*Mr. Jamon N. Hestand #1343536; Michael Unit; 2664 FM 2054; Tennessee Colony, TX 75886 USA

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Tyrone D. Wadell # 769087
2664 FM 2054
Tennessee Colony, TX 75886-5000

United States District Court
Eastern District of Texas
211 W. Ferguson St.
Tyler, TX 75702

Monday, December 27, 2021

Subject: Submission of a Sworn Affidavit
(Under Federal Law) and Declaration of
Facts

Please find enclosed herewith, Declarant's Sworn
Affidavit (Under Federal Law) and Declaration
of Facts re: General Living Conditions within
the Restrictive Housing Areas Used to House Pa-
tients "Participating" in the Mental Health
Diversion Program held on Michael Unit in
Tennessee Colony, TX.

Same is submitted on behalf of Janon Na-
thaniel Hestand #1343536 in the cause of
Janon Nathaniel Hestand vs. TDCJ, et al.,
Cause No. 6:20cv-00071-JDK-JDL

Sincerely,

DW

SWORN AFFIDAVIT UNDER FEDERAL LAW AND DECLARATION OF FACTS

- 1) I, Watt, Tyrone D. #769087, the undersigned does hereby depose, declare, and state that I am over 18 years of age and of sound mind, and that I am a resident in the Mental Health Diversion Program that is currently being hosted on the Michael Unit ("hereinafter, MI") of TDCJ-CID in Tennessee Colony, TX 75888-5000;
- 2) I have personally observed/experienced numerous violations of Constitutional law / Federal Civil law / Federal Criminal law / TX state Civil laws / TX state Criminal laws / TX state Administrative laws; including TDCJ-CID's "mandates" (e.g. Administrative Directives ("ADs") / Board Policies ("BPs") / Security Memorandum ("SMs") / Executive Directives ("EDs") / Standard Operational Procedures ("SOPs"), et al., including;
- 3) The food being prepared and served is inadequate to sustain the undersigned and others in good health, because MI's Food Services Department has adopted a practice of diverging so far from the standard TDCJ-CID Menu Planning Guide that the serving sizes and/or the total number of items (i.e. main course and side

dishes) and/or the types of foods served (i.e. actual menu choices) remain sub par to the extent that said serving sizes are too small and/or said total number of items nearly always amounts one or more portions (esp. during the breakfast meal); and/or said types of foods are often served "redundantly" (i.e. the same foods are served for days at a time). M's Food Service Department diverges sharply from TDCJ's Menu Planning Guide when preparing both hot meals and sack meals, including the preparation of nearly all diet meals (hot or sack). Sharply diverging from said Menu Planning Guide and for prolonged periods of time (years!) has caused the undersigned and others to suffer "menu fatigue," and reduced overall health and well being sufficient to constitute a constructive, or effective deprivation of a life's necessity;

4) The in-cell water supply is contaminated with rust, and—no doubt—bacteria that are unhealthy. I need only place any piece of white fabric over the water spout and allow the water to run normally during normal use and in any cell in said building in order to observe/experience said piece of cloth turning a dark, deep rusty brown coloration. Due to there being no clean, potable water

on said building, the undersigned is effectively deprived of a life's necessity (i.e. "clean," fresh water) that is crucial to sustain any human being in good health;

5) Said building is infested with roaches, waterbugs, and mice. Not a single day has elapsed in the last 730, plus days that the undersigned has not personally observed no less than a dozen mice and dozens of roaches/waterbugs traversing across the floor outside of the undersigned's housing assignment. Not a single day has passed in the last 730, plus days that the undersigned has not personally observed no less than a dozen roaches/waterbugs present within the undersigned's cell and any time the undersigned fails to employ a home-made doorway blocker at the bottom of said cell's doorway mice inevitably ingress said cell, and remain therein until ran off, killed, or otherwise removed by the undersigned;

6) Said building is extremely short of staff. The undersigned has personally observed that staffing problems have been consistent for nearly 730, plus days; and due to said lack of staff, the undersigned

and others of adequate opportunities for both recreation and showers. The undersigned has experienced up to seven days without an opportunity even to shower and over seven days without an opportunity even for out of cell recreation;

7) Said shortage of staff has reduced the number and frequency of security checks" (i.e. legally mandatory intervals, not to exceed 30 minutes between any two) wherein staff must walk the rms to make a visual and auditory observation of everyone in said building to ensure that all persons are alive, healthy, and not otherwise in need of emergency or other attention) to less than 1/10 of what is legally required. Staff conducts said checks once on average every three hours (if not longer) instead of 30 minutes, and might not conduct any security checks at all, if said responsibility has been delegated to supervisory staff such as Sgts, Lts, Capts, etc.;

8) The Mental Health Diversion Program itself exists "mostly" in name only as staffing shortages have effectively crippled the "escort team" (staff assigned to escort

residents to and from Mental Health Diversion Program meetings with counselors) and Mental Health Diversion Program counselors relationship so that almost no one is ever called out for said meetings for extended periods of time (weeks to months), which stifles the progress through the Mental Health Diversion Program's course structure, which causes the undersigned and others to languish in "program limbo" for years on end;

9) The undersigned and others have felt anguish, anxiety, depression, and dispondent on account of the general palor created by the totality of conditions on said building, which has negatively impacted the undersigned and others's mental, emotional, and physical health.

Signed by ^{#769087} Dylan D. Wadell on this the 3rd day of January, 2022. I swear that the foregoing is true, correct, and complete to the very best of my knowledge and belief.